

REMARKS/ARGUMENTS

Amendments

The specification is amended to correct the page numbering and any oversights that are grammatical, clerical or typographical in nature. Additionally, the claims are modified in the amendment. More specifically, claims 1, 4, 10, 12, 14, 17, and 18 have been amended; claims 13, 16, and 22 have been cancelled; and new claims 23-25 have been added. Therefore, claims 1-12, 14, 15, 17-21, and 23-25 are present for examination. No new matter is added by these amendments. Applicant respectfully requests reconsideration of this application as amended.

35 U.S.C. §102 Rejection, Forte

The Office Action has rejected claims 1-4, 8 and 10-22 under 35 U.S.C. §102(e) as being anticipated by the cited portions of U.S. Patent No. 7,162,020 to Forte (hereinafter "**Forte**"). Applicants respectfully request reconsideration of the rejection because either the Examiner has failed to show a *prima facie* case of anticipation or the amendments overcome the rejection. Indeed, "for anticipation under 35 U.S.C. 102, the reference must teach every aspect of the claimed invention either explicitly or impliedly." See MPEP §706.02, Original Eighth Edition, August, 2001, Latest Revision August 2006. And Forte simply does not teach each and every aspect of the claims.

Forte is directed to a system that redirects calls for a business employee or hotel customer to a cell phone. *See Forte*, col. 8, line 60 -- col. 9, line 18. Thus, when a call is received at the wired telephone of the business or the hotel, the system of Forte detects the call and makes another call to the wireless phone of the intended recipient. The system affords the ability to redirect calls for employees or guests who wish to receive all phone calls on his or hers wireless phone.

Forte is in stark contrast to the presented claims. Forte does not include the same system components, notably the telephone switch or demarcation device. Further, the system and methods describe in Forte describe a redirection of calls that is opposite that presented in the

claims. The claims are allowable because Forte does not include these elements of the claims and therefore cannot help to substantiate a *prima facie* case of anticipation.

With regard to independent claim 1, Forte does not speak of a telephone switch or demarcation device that determines if an incoming call received at a wireless device should be routed to a wired phone. Forte only describes a "wireless connect unit (WC)" that places a call to the remote telephone if a call is received at the hotel or business PBX. *See Forte*, col. 9, lines 8-18. Forte specifically teaches that the system in Forte does not have any special hardware, such as the telephone switch or demarcation device that can route calls directed to a wireless phone. *See Forte*, col. 5, lines 26-34("... special wireless devices are not required."). Forte does not teach or suggest a device, system or component that functions like the telephone switch of demarcation device.

Further, with regard to independent claims 1, 10 and 17, the systems and methods in Forte work exactly opposite of systems and methods embodied in the claims. For example, in claim 1, the incoming calls are "directed to the wireless phone with a telephone number." A telephone switch or demarcation device "receives an incoming phone call on the first communication channel directed to the telephone number for the wireless phone." Then, it is determined if a "second communication channel should be simultaneously sent the incoming phone call directed to the telephone number." The second communications channel is "coupled to one or more wired phones at a user location." Forte operates exactly in reverse compared to the claims, that is, phone calls are received at a user location and redirected to a wireless phone. The WC in Forte redirects calls not from a wireless phone to a wired phone but from the wired phone to a wireless phone. *See Forte*, col. 9, lines 8-18. Thus, Forte does not teach or suggest all the elements of the independent claims.

Thus, Forte does not teach or suggest all the limitations of the independent claims, claims 1, 10, and 17, and cannot substantiate a case of anticipation. Applicants respectfully request the Examiner to withdrawal the rejection as the rejection applies to the independent claims. Further, all other claims in the application depend from these allowable claims and are

also allowable. Therefore, the Applicants also respectfully request the Examiner withdrawal any rejections directed to claims 2-9, 11, 14, 15, 18-21, and 23-25.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. Applicants do not acquiesce to any argument not addressed in the response and reserve the right to make further amendments and arguments in light of those arguments. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

Tadd F. Wilson
Reg. No. 54,544

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 303-571-4000
Fax: 415-576-0300
TFW:slb

61133822 v2